IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(C).No. 13331 of 2007(K)

PETITIONER:

SARADA, W/O.BHASKARAN,
AGED 65 YEARS, THEKKESSERIL, VADAKKANCELIYANAD,
KUNNUMMA VILLAGE, KUTTANAD.

BY ADV. SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SUB INSPECTOR OF POLICE,
KAINADY POLICE STATION, ALAPPUZHA.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

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W.P.C.No. 13331 of 2007 K

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Dated this the 18th day of June, 2007

JUDGMENT

The grievance of the petitioner is that no proper investigation is being conducted into Ext.P1 crime registered at Kainady Police Station, Alleppey. She prays that appropriate directions may be issued to the Police.

2. Notice is issued to the learned Prosecutor. The Investigating Officer has filed a statement, which shows that a crime was registered under Section 174 Cr.P.C. under the caption 'unnatural death'. Proper investigation has been conducted. The police have come to the conclusion that offence under Section 498A I.P.C. has been committed by the husband of the deceased. No final decision has been taken in the matter. Investigation is in progress. Report of the Chemical Examiner is awaited. Everything necessary for a proper and efficient investigation has been done. After taking into account all necessary details, a proper final report shall be filed. The learned Prosecutor prays that the Investigator may be granted four months to complete the investigation and file the final report.

3. I have gone through the statement filed by the S.I. of Police. I have considered all the relevant inputs. It is not necessary at this stage to hazard any opinion on the final report, which is yet to be prepared and filed. Suffice it to say that I do not find any reason to issue any direction under Article 226 of the Constitution now. I expect the police to complete the investigation and file the final report as expeditiously as possible, at any rate, within a period of four months.

4. The submissions of the learned Prosecutor is accepted and this writ petition is dismissed. Needless to say, dismissal of this writ petition will not in any way fetter the rights of the petitioner to challenge the final report after it is filed if she is aggrieved by such final report.

(R. BASANT)
Judge

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